

ESTTA Tracking number: **ESTTA1029779**

Filing date: **01/17/2020**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Kudelski S.A.
Granted to Date of previous extension	01/18/2020
Address	ROUTE DE GENEVE 22 CHESEAUX-SUR-LAUSANNE, 1033 SWITZERLAND
Attorney information	PAM KOHLI JACOBSON K&L GATES LLP 925 4TH AVE., STE 2900 SEATTLE, WA 98104 UNITED STATES Pam.Jacobson@klgates.com, TTABLitigationDocket@klgates.com, Grace.Carlson@klgates.com, Terri.Li.SE@klgates.com, KudelskiTeam@klgates.com 206-370-7605

Applicant Information

Application No	88531415	Publication date	11/19/2019
Opposition Filing Date	01/17/2020	Opposition Period Ends	01/18/2020
Applicants	<p>Soderberg, Steven Vincent Apartment 4 1919 SW Spring Garden Street Portland, OR 97219 UNITED STATES</p> <p>Ulmer, Erich 2230 SW 187th Avenue Beaverton, OR 97003 UNITED STATES</p> <p>Stewart, Christopher Michael Apartment E 11627 SW Teal Blvd. Beaverton, OR 97007 UNITED STATES</p>		

Goods/Services Affected by Opposition

Class 009. First Use: 2015/02/15 First Use In Commerce: 2015/02/15

All goods and services in the class are opposed, namely: Compact discs featuring music; Download-

able musical sound recordings; Musical sound recordings; Phonograph records featuring music; Prerecorded audio cassettes featuring musical performances; Prerecorded video cassettes featuring music; Series of musical sound recordings


Class 041. First Use: 2010/06/01 First Use In Commerce: 2010/06/01

All goods and services in the class are opposed, namely: Entertainment services in the nature of live music performances; Entertainment services, namely, providing non-downloadable prerecorded music, information in the field of music, and commentary and articles about music, all on-line via a global computer network; Entertainment, namely, live performances by rock groups; Production of sound and music video recordings; Providing an Internet website portal featuring entertainment news and information specifically in the field of amusical group

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols, or brings them into contempt, or disrepute	Trademark Act Section 2(a)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	779882	Application Date	06/12/1963
Registration Date	11/10/1964	Foreign Priority Date	NONE
Word Mark	NAGRA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0 TAPE RECORDERS AND MAGNETOPHONES AND ATTACHMENTS AND ACCESSORIES FOR THE SAME		

U.S. Registration No.	1359000	Application Date	01/17/1985
Registration Date	09/10/1985	Foreign Priority Date	NONE
Word Mark	NAGRA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1962/00/00 First Use In Commerce: 1962/00/00 INSTRUMENTATION TAPE RECORDERS FOR SCIENTIFIC ANALYSIS; SOUND TAPE RECORDERS, LOUDSPEAKERS; MICROPHONES; SOUND LOCATING INSTRUMENTS; AMPLIFIERS; TRANSMITTERS; VIDEO TAPE RECORDERS; VIDEO RECEIVERS; VIDEO SCREENS, ELECTRONIC APPARATUS FOR TRANSMITTING FACSIMILE MESSAGES AND INFORMA-		

	TION IN WRITTEN OR CODED FORM OR IN THE FORM OF LINES, IMAGES OR CURVES; FACSIMILE TELEGRAPHY APPARATUS; PRERECORDED AND BLANK VIDEO TAPES; PRERECORDED AND BLANK VIDEO DISCS; AND PARTS THEREFOR
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Attachments	72170842#TMSN.png(bytes) Notice of Opposition TANAGRA 206999102863.pdf(3086398 bytes)
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Signature	/Pam Jacobson/
Name	PAM KOHLI JACOBSON
Date	01/17/2020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

KUDELSKI S.A.,

Opposer,

v.

ERICH ULMER,
CHRISTOPHER MICHAEL STEWART,
STEPHEN VINCENT SODERBERG

Applicant.

Opposition No. _____

Appl. Serial No.: 88/531,415

Mark: TANAGRA

Published for Opposition: November 19, 2019

NOTICE OF OPPOSITION

Opposer, KUDELSKI S.A., a Swiss corporation, having a business address of Route de Geneve 22, Cheseaux-Sur-Lausanne, Switzerland ("Opposer"), believes that it is and will be damaged by the registration on the Principal Register of the mark allegedly owned by ERICH ULMER, CHRISTOPHER MICHAEL STEWART, and STEPHEN VINCENT SODERBERG, ("Applicant"), that is the subject of Application Serial No. 88/531,415 (the "Application") in connection with "Compact discs featuring music; Downloadable musical sound recordings; Musical sound recordings; Phonograph records featuring music; Prerecorded audio cassettes featuring musical performances; Prerecorded video cassettes featuring music; Series of musical sound recordings " in International Class 09; and "Entertainment services in the nature of live music performances; Entertainment services, namely, providing non-downloadable prerecorded music, information in the field of music, and commentary and articles about music, all on-line via a global computer network; Entertainment, namely, live performances by rock groups; Production of sound and music video recordings; Providing an Internet website portal featuring entertainment news and information specifically in the field of a musical group" in International Class 41.

Opposer hereby opposes registration thereof. Consumers are likely to be confused as to source by Applicant's registration and use of such a similar mark for related goods and services. The registration of TANAGRA would falsely suggest a connection between Applicant's and Opposer's name and identity.

As grounds for this Opposition, it is alleged that:

1. The Application was published for opposition in the Official Gazette on November 19, 2019. Opposer requested and was granted extensions of the deadline to oppose the Application until January 18, 2020. This Notice of Opposition is timely filed.

2. Opposer is the owner of Registration No. 0,779,882 for the NAGRA mark in Class 09 (the “882 Registration”), and is also the owner of all common law rights in the mark, including all of the business and goodwill connected therewith. This registration issued from an application filed on June 12, 1963. This registration has not been revoked or cancelled. A copy of the ‘882 Registration and a printout of information from the electronic database records of the U.S. Patent and Trademark Office are attached as Exhibit A.

3. Opposer is the owner of Registration No. 1,359,000 for the NAGRA mark in Class 09 (the “000 Registration”), and is also the owner of all common law rights in the mark, including all of the business and goodwill connected therewith. This registration issued from an application filed on January 17, 1985. This registration has not been revoked or cancelled. A copy of the '000 Registration and a printout of information from the electronic database records of the U.S. Patent and Trademark Office are attached as Exhibit B.

4. Opposer's marks described in Paragraphs 2 and 3 above, and as reflected in the '882 Registration and the '000 Registration, are hereby collectively referred to as "Opposer's Marks."

5. Opposer's Marks are incontestable. As such, they constitute conclusive evidence of the validity of the registered marks, Opposer's ownership of the registered marks, and Opposer's exclusive right to use the registered marks in commerce as provided in Section 33 of the Lanham Act, 15 U.S.C. § 1115.

6. On information and belief, Applicant is the owner of record of trademark Application Serial No. 88/531,415 filed on July 23, 2019, for registration of the mark TANAGRA ("Applicant's Mark") for use in connection with "Compact discs featuring music; Downloadable musical sound recordings; Musical sound recordings; Phonograph records featuring music; Prerecorded audio cassettes featuring musical performances; Prerecorded video cassettes featuring music; Series of musical sound recordings" in International Class 09; and "Entertainment services in the nature of live music performances; Entertainment services, namely, providing non-downloadable prerecorded music, information in the field of music, and commentary and articles about music, all on-line via a global computer network; Entertainment, namely, live performances by rock groups; Production of sound and music video recordings; Providing an Internet website portal featuring entertainment news and information specifically in the field of a musical group " in International Class 42 ("Applicant's Goods"). A true and correct printout from the USPTO electronic database reflecting the Application is attached hereto as Exhibit C.

7. Since long prior to July 23, 2019, the filing date of Applicant's Mark, and since long prior to February 15, 2015, the alleged first date of use of Applicant's Mark in commerce, Opposer has widely advertised and promoted Opposer's Marks in connection with its

goods with the result that Opposer's Marks have become well known and exclusively associated with Opposer in the United States. Because of these efforts, and by virtue of the excellence and success of the goods offered and provided by Opposer under Opposer's Marks, Opposer has built up a valuable reputation and tremendous goodwill in Opposer's Marks. This goodwill belongs exclusively to Opposer.

8. Applicant's Mark so resembles Opposer's Marks as to be likely, when used in connection with the goods and services set forth in the Application, to cause confusion, or to cause mistake, or to deceive. Applicant's Mark, therefore, creates a confusingly similar commercial impression. Thus, consumers will likely believe that Applicant's use of the mark in connection with Applicant's Goods is in some way associated with, connected with, or sponsored, authorized, approved, or licensed by Opposer.

9. Applicant's Mark so resembles Opposer's Marks that it is likely to create a false designation of origin and false or misleading representation of fact that is likely to cause confusion, or to cause mistake, or to deceive as to an affiliation, connection, or association between Opposer and Applicant. Any objection or fault with the goods offered in connection with Applicant's Mark may reflect upon and injure Opposer's reputation or the goodwill Opposer has established in Opposer's Marks.

10. If Applicant is granted the registration herein opposed, Applicant would thereby obtain at least a prima facie exclusive right to use of the mark in connection with Applicant's Goods as identified in Application Serial No. 88/531,415. Such registration would be a source of damage and injury to Opposer.

WHEREFORE, and in accordance with Section 13 of the Trademark Act (15 U.S.C. § 1063), Opposer prays that this Opposition be sustained and that Application Serial No. 88/531,415 be refused registration.

Opposer hereby includes the required filing fees to institute this proceeding under 37 C.F.R § 2.6(a)(17).

Respectfully submitted,

Dated this 17th day of January, 2020.

K&L GATES LLP

/Pam K. Jacobson/

Pam K. Jacobson

Registration No. 59,309

K&L GATES LLP

925 Fourth Avenue

Suite 2900

Seattle, WA 98104

Telephone: 206.370.7605

Email: pam.jacobson@klgates.com

Attorney for the Opposer

Exhibit A



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NAGRA

Word Mark	NAGRA
Goods and Services	IC 009. US 036. G & S: TAPE RECORDERS AND MAGNETOPHONES AND ATTACHMENTS AND ACCESSORIES FOR THE SAME
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number	72170842
Filing Date	June 12, 1963
Current Basis	44E
Original Filing Basis	44E
Registration Number	0779882
Registration Date	November 10, 1964
Owner	(REGISTRANT) KUDELSKI, STEFAN DBA STEFAN KUDELSKI, FABRIQUE D'ENREGISTREURS "NAGRA" CORPORATION SWITZERLAND ROUTE DE GENEVE 22 CHESEAUX-SUR-LAUSANNE SWITZERLAND (LAST LISTED OWNER) KUDELSKI S.A. CORPORATION SWITZERLAND ROUTE DE GENEVE 22 CHESEAUX-SUR-LAUSANNE SWITZERLAND
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Pam Kohli Jacobson
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECTION 8(10-YR) 20150120.

Renewal 3RD RENEWAL 20150120
Live/Dead Indicator LIVE

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United States Patent Office

779,882
Registered Nov. 10, 1964

PRINCIPAL REGISTER Trademark

Ser. No. 170,842, filed June 12, 1963

NAGRA

Stefan Kudelski, doing business as Stefan Kudelski,
Fabrique d'Enregistreurs "Nagra"
Route de Cossonay 39
Prilly, Vaud, Switzerland

For: TAPE RECORDERS AND MAGNETOPHONES
AND ATTACHMENTS AND ACCESSORIES FOR
THE SAME, in CLASS 36.
Owner of Swiss Reg. No. 194,504, dated Sept. 17, 1962.

Exhibit B



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Typed Drawing

Word Mark	NAGRA
Goods and Services	IC 009. US 021 036. G & S: INSTRUMENTATION TAPE RECORDERS FOR SCIENTIFIC ANALYSIS; SOUND TAPE RECORDERS, LOUDSPEAKERS; MICROPHONES; SOUND LOCATING INSTRUMENTS; AMPLIFIERS; TRANSMITTERS; VIDEO TAPE RECORDERS; VIDEO RECEIVERS; VIDEO SCREENS, ELECTRONIC APPARATUS FOR TRANSMITTING FACSIMILE MESSAGES AND INFORMATION IN WRITTEN OR CODED FORM OR IN THE FORM OF LINES, IMAGES OR CURVES; FACSIMILE TELEGRAPHY APPARATUS; PRERECORDED AND BLANK VIDEO TAPES; PRERECORDED AND BLANK VIDEO DISCS; AND PARTS THEREFOR. FIRST USE: 19620000. FIRST USE IN COMMERCE: 19620000
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73517930
Filing Date	January 17, 1985
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	July 2, 1985
Registration Number	1359000
Registration Date	September 10, 1985
Owner	(REGISTRANT) KUDELSKI S.A. FABRIQUE D'ENREGISTREURS NAGRA CORPORATION SWITZERLAND ROUTE DE GENEVE 22 CHESEAUX-SUR-LAUSANNE SWITZERLAND 1033 (LAST LISTED OWNER) KUDELSKI S..A. CORPORATION SWITZERLAND ROUTE DE GENEVE 22 CHESEAUX-SUR-LAUSANNE SWITZERLAND 1033
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Pam Kohli Jacobson
Prior Registrations	0779882;0945124

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20150919.
Renewal 2ND RENEWAL 20150919
Live/Dead Indicator LIVE

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Int. Cl.: 9

Prior U.S. Cls.: 21 and 36

United States Patent and Trademark Office

Reg. No. 1,359,000

Registered Sep. 10, 1985

**TRADEMARK
PRINCIPAL REGISTER**

NAGRA

KUDELSKI S.A. FABRIQUE D'ENREGIS-
TREURS NAGRA (SWITZERLAND CORPO-
RATION)
ROUTE DE GENEVE 22
CHESEAUX-SUR-LAUSANNE, SWITZERLAND
1033

FOR: INSTRUMENTATION TAPE RECORD-
ERS FOR SCIENTIFIC ANALYSIS; SOUND

INFORMATION IN WRITTEN OR CODED
FORM OR IN THE FORM OF LINES, IMAGES
OR CURVES; FACSIMILE TELEGRAPHY AP-
PARATUS; PRERECORDED AND BLANK
VIDEO TAPES; PRERECORDED AND BLANK
VIDEO DISCS; AND PARTS THEREFOR, IN
CLASS 9 (U.S. CLS. 21 AND 36).

FIRST USE 0-0-1962; IN COMMERCE
0-0-1962.

TAPE RECORDERS, LOUDSPEAKERS; MICRO-
PHONES; SOUND LOCATING INSTRUMENTS;
AMPLIFIERS; TRANSMITTERS; VIDEO TAPE
RECORDERS; VIDEO RECEIVERS; VIDEO
SCREENS, ELECTRONIC APPARATUS FOR
TRANSMITTING FACSIMILE MESSAGES AND

OWNER OF U.S. REG. NOS. 779,882 AND
945,124.

SER. NO. 517,930, FILED 1-17-1985.

J. TINGLEY, EXAMINING ATTORNEY

Exhibit C

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 88531415

Filing Date: 07/23/2019

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	TANAGRA
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	TANAGRA
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Ulmer, Erich
*STREET	2230 SW 187th Avenue
*CITY	Beaverton
*STATE (Required for U.S. applicants)	Oregon
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)	97003
PHONE	503-608-8496
EMAIL ADDRESS	erich.g.ulmer@gmail.com
WEBSITE ADDRESS	www.tanagraband.bandcamp.com
LEGAL ENTITY INFORMATION	
*TYPE	INDIVIDUAL
*COUNTRY OF CITIZENSHIP	United States
APPLICANT INFORMATION	
*OWNER OF MARK	Stewart, Christopher Michael
INTERNAL ADDRESS	Apartment E

*STREET	11627 SW Teal Blvd.
*CITY	Beaverton
*STATE (Required for U.S. applicants)	Oregon
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)	97007
PHONE	503-473-3741
EMAIL ADDRESS	stewart.c.michael@gmail.com
WEBSITE ADDRESS	www.tanagraband.bandcamp.com
LEGAL ENTITY INFORMATION	
*TYPE	INDIVIDUAL
* COUNTRY OF CITIZENSHIP	United States
APPLICANT INFORMATION	
*OWNER OF MARK	Soderberg, Steven Vincent
INTERNAL ADDRESS	Apartment 4
*STREET	1919 SW Spring Garden Street
*CITY	Portland
*STATE (Required for U.S. applicants)	Oregon
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. and certain international addresses)	97219
PHONE	971-275-5208
EMAIL ADDRESS	stevensoderberg@gmail.com
WEBSITE ADDRESS	www.tanagraband.bandcamp.com
LEGAL ENTITY INFORMATION	
*TYPE	INDIVIDUAL
* COUNTRY OF CITIZENSHIP	United States
GOODS AND/OR SERVICES AND BASIS INFORMATION	
* INTERNATIONAL CLASS	009
*IDENTIFICATION	Compact discs featuring music; Downloadable musical sound recordings; Musical sound recordings; Phonograph records featuring music; Prerecorded audio cassettes featuring musical performances ; Prerecorded video cassettes featuring music; Series of musical sound recordings
*FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/15/2015
FIRST USE IN COMMERCE DATE	At least as early as 02/15/2015
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT17\IMAGEOUT17\885\314\88531415\xml1\FTK0003.JPG
	\\TICRS\EXPORT17\IMAGEOUT

	17\885\314\88531415\xml1\ FTK0004.JPG
	\\TICRS\EXPORT17\IMAGEOUT 17\885\314\88531415\xml1\ FTK0005.JPG
	\\TICRS\EXPORT17\IMAGEOUT 17\885\314\88531415\xml1\ FTK0006.JPG
SPECIMEN DESCRIPTION	Use of applicant's TANAGRA mark as used on a series of sound recordings; CD covers, CD insert cards; CD booklets, CDs.
* INTERNATIONAL CLASS	041
* IDENTIFICATION	Entertainment services in the nature of live music performances; Entertainment services, namely, providing non-downloadable prerecorded music, information in the field of music, and commentary and articles about music, all on-line via a global computer network; Entertainment, namely, live performances by rock groups; Production of sound and music video recordings; Providing an Internet website portal featuring entertainment news and information specifically in the field of a musical group
* FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 06/01/2010
FIRST USE IN COMMERCE DATE	At least as early as 06/01/2010
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT17\IMAGEOUT 17\885\314\88531415\xml1\ FTK0007.JPG
	\\TICRS\EXPORT17\IMAGEOUT 17\885\314\88531415\xml1\ FTK0008.JPG
	\\TICRS\EXPORT17\IMAGEOUT 17\885\314\88531415\xml1\ FTK0009.JPG
	\\TICRS\EXPORT17\IMAGEOUT 17\885\314\88531415\xml1\ FTK0010.JPG
SPECIMEN DESCRIPTION	Applicant's TANAGRA mark as used on promotional posters for live entertainment appearances.
ADDITIONAL STATEMENTS INFORMATION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESE) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
ATTORNEY INFORMATION	
NAME	Peter Vaughan Shaver
ATTORNEY DOCKET NUMBER	TANAGRA 719
FIRM NAME	Sound Advice, LLC
INTERNAL ADDRESS	#308

STREET	3939 NE Hancock Street
CITY	Portland
STATE	Oregon
COUNTRY	United States
ZIP/POSTAL CODE	97212
PHONE	503-473-8252
EMAIL ADDRESS	pv@pdxsa.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	Peter Vaughan Shaver
CORRESPONDENCE INFORMATION	
*NAME	Peter Vaughan Shaver
FIRM NAME	Sound Advice, LLC
INTERNAL ADDRESS	#308
*STREET	3939 NE Hancock Street
*CITY	Portland
*STATE (Required for U.S. addresses)	Oregon
*COUNTRY	United States
*ZIP/POSTAL CODE	97212
PHONE	503-473-8252
*EMAIL ADDRESS	pv@pdxsa.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS Plus
NUMBER OF CLASSES	2
FEE PER CLASS	225
*TOTAL FEE PAID	450
SIGNATURE INFORMATION	
* SIGNATURE	/Peter Vaughan Shaver/
* SIGNATORY'S NAME	Peter Vaughan Shaver
* SIGNATORY'S POSITION	Attorney of record, Oregon Bar Member
SIGNATORY'S PHONE NUMBER	503-473-8252
* DATE SIGNED	07/23/2019
* SIGNATURE	/Peter Vaughan Shaver/
* SIGNATORY'S NAME	Peter Vaughan Shaver
* SIGNATORY'S POSITION	Attorney of record, Oregon Bar Member
SIGNATORY'S PHONE NUMBER	503-473-8252
* DATE SIGNED	07/23/2019

* SIGNATURE	/Peter Vaughan Shaver/
* SIGNATORY'S NAME	Peter Vaughan Shaver
* SIGNATORY'S POSITION	Attorney of record, Oregon Bar Member
SIGNATORY'S PHONE NUMBER	503-473-8252
* DATE SIGNED	07/23/2019

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 88531415

Filing Date: 07/23/2019

To the Commissioner for Trademarks:

MARK: TANAGRA (Standard Characters, see [mark](#))

The mark in your application is TANAGRA.

The applicants, Erich Ulmer, a citizen of United States, having an address of

2230 SW 187th Avenue

Beaverton, Oregon 97003

United States

503-608-8496(phone)

erich.g.ulmer@gmail.com (not authorized)

Christopher Michael Stewart, a citizen of United States, having an address of

Apartment E

11627 SW Teal Blvd.

Beaverton, Oregon 97007

United States

503-473-3741(phone)

stewart.c.michael@gmail.com (not authorized)

Steven Vincent Soderberg, a citizen of United States, having an address of

Apartment 4

1919 SW Spring Garden Street

Portland, Oregon 97219

United States

971-275-5208(phone)

stevensoderberg@gmail.com (not authorized)

request registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 009: Compact discs featuring music; Downloadable musical sound recordings; Musical sound recordings; Phonograph records featuring music; Prerecorded audio cassettes featuring musical performances; Prerecorded video cassettes featuring music; Series of musical sound recordings

Use in Commerce: The applicant is using the mark in commerce on or in connection with the identified goods/services. The applicant attaches, or will later submit, one specimen as a JPG/PDF image file showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, regardless of whether the mark itself is in the standard character format or is a stylized or design mark. The specimen image file may be in color, and the image must be in color if color is being claimed as a feature of the mark.

In International Class 009, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 02/15/2015, and first used in commerce at least as early as 02/15/2015, and is now in use in such commerce. The applicants are submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, consisting of a(n) Use of applicant's TANAGRA mark as used on a series of sound recordings; CD covers, CD insert cards; CD booklets, CDs..

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

[Specimen File4](#)

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 041: Entertainment services in the nature of live music performances; Entertainment services, namely, providing non-downloadable prerecorded music, information in the field of music, and commentary and articles about music, all on-line via a global computer network; Entertainment, namely, live performances by rock groups; Production of sound and music video recordings; Providing an Internet website portal featuring entertainment news and information specifically in the field of a musical group

Use in Commerce: The applicant is using the mark in commerce on or in connection with the identified goods/services. The applicant attaches, or will later submit, one specimen as a JPG/PDF image file showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, regardless of whether the mark itself is in the standard character format or is a stylized or design mark. The specimen image file may be in color, and the image must be in color if color is being claimed as a feature of the mark.

In International Class 041, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 06/01/2010, and first used in commerce at least as early as 06/01/2010, and is now in use in such commerce. The applicants are submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, consisting of a(n) Applicant's TANAGRA mark as used on promotional posters for live entertainment appearances..

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

[Specimen File4](#)

For informational purposes only, applicant's website address is: www.tanagraband.bandcamp.com

The applicant's current Attorney Information:

Peter Vaughan Shaver and Peter Vaughan Shaver of Sound Advice, LLC

#308

3939 NE Hancock Street

Portland, Oregon 97212

United States

503-473-8252(phone)

pv@pdxsa.com (authorized)

The attorney docket/reference number is TANAGRA 719.

The applicant's current Correspondence Information:

Peter Vaughan Shaver

Sound Advice, LLC

#308

3939 NE Hancock Street

Portland, Oregon 97212

503-473-8252(phone)

pv@pdxsa.com (authorized)

E-mail Authorization: I authorize the USPTO to send e-mail correspondence concerning the application to the applicant or the applicant's attorney, or the applicant's domestic representative at the e-mail address provided in this application. I understand that a valid e-mail address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in the loss of TEAS Plus status and a requirement to submit an additional processing fee of \$125 per international class of goods/services.

A fee payment in the amount of \$450 has been submitted with the application, representing payment for 2 class(es).

Declaration

☒ **Basis:**

If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
- The mark is in use in commerce on or in connection with the goods/services in the application;
- The specimen(s) shows the mark as used on or in connection with the goods/services in the application; and
- To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

AND/OR

If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d),

and/or § 1126(e):

- The signatory believes that the applicant is entitled to use the mark in commerce;
 - The applicant has a bona fide intention to use the mark in commerce on or in connection with the goods/services in the application; and
 - To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.
- ☒ To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.
- ☒ To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
- ☒ The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Peter Vaughan Shaver/ Date: 07/23/2019
Signatory's Name: Peter Vaughan Shaver
Signatory's Position: Attorney of record, Oregon Bar Member
Signatory's Phone Number: 503-473-8252

Signature: /Peter Vaughan Shaver/ Date: 07/23/2019
Signatory's Name: Peter Vaughan Shaver
Signatory's Position: Attorney of record, Oregon Bar Member
Signatory's Phone Number: 503-473-8252

Signature: /Peter Vaughan Shaver/ Date: 07/23/2019
Signatory's Name: Peter Vaughan Shaver
Signatory's Position: Attorney of record, Oregon Bar Member
Signatory's Phone Number: 503-473-8252
Payment Sale Number: 88531415
Payment Accounting Date: 07/24/2019

Serial Number: 88531415
Internet Transmission Date: Tue Jul 23 21:49:39 EDT 2019
TEAS Stamp: USPTO/FTK-XX.XXX.XX.XXX-2019072321493929
2126-88531415-620221672d92b2a49f6b4fca23
0f36387334ca66152bd719969a35c2ce2d4-CC-7
337-20190723211319237305

TANAGRA



TANAGRA

THE UNDYING LIGHT
TYRANNY OF TIME
ELIANA
ANTIETAM
BITTER EARTH
PLANESWALKER
10:04 PM
THE PATH TO TALMOR

tanagraband.bandcamp.com
www.facebook.com/tanagraband
www.youtube.com/tanagraband
Contact: tanagraband@gmail.com

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Contact: tanagraband@gmail.com

THE UNDYING LIGHT

Lyrics by Tom Sotia and Steven Soderberg

We chart the stars
We see the light
The sky calls to us
We'll answer when the time is right

Born from the ashes
Of a lost and ancient time
Seeking all the knowledge
The universe has to hide

We abandoned all that we knew
For this grand endeavor
Where our ancestral home was

We cannot even remember
The darkened void of wonder
Draws us into the black
The hands of fate

Push us forward, yet hold us back
Gather the pieces
We gather our thoughts
Focused on tomorrow

For yesterday's gone and lost
The Undying Light (a vision)
Leads us to the worlds we long for

Leave them behind (forever)
Onward, to a shining future!

[solo: Josh]

We will conquer the stars
For as long as they will burn
Great songs will be sung of our deeds
For as long as this galaxy turns

The Undying Light (a vision)
Leads us to the worlds we long for
Leave them behind (forever)
Onward, to a shining future

UNDYING







Meridiem

Meridiem
Sydria
Ethereic Alchemy
Silent Chamber
The Hidden Hand
Across the Ancient Desert
Witness

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TANAGRA

Syðria



TANAGRA

Meridien



Tanagra

STEVEN SODERBERG - lead and rhythm guitars
CHRISTOPHER STEWART - drums and percussion
TOM SOCIA - lead and backing vocals
JOSH KAY - lead and rhythm guitars
ERICH ULMER - bass guitar

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SPILLCAPTER

Playing Their New Album In Its Entirety

Blood
of
Kings
Seattle
Shred

TINAGRIN

Portland
Progressive

Blackened
Blasphemy

Dante's
Friday, April 4th 2014
350 W. Burnside St
3 Dollars, 8:00 PM

HYPERSPACE METAL FESTIVAL

FRIDAY
APRIL 13TH

Iron Kingdom

GATES OF ETERNITY
IN ITS ENTIRETY

Scythia

ODINEST

ARKENFIRE

SATURDAY
APRIL 14TH

HELLION
PRIME

CANADIAN EXCLUSIVE

RAVENOUS

TANAGRA

VALVOLA

POWER METAL FURY

SKELATOR

POWER METAL WARRIORS FROM SEATTLE

LAST EMPIRE

LAST EMPIRE'S FINAL LIVE PERFORMANCE!

TANGRA

PROGRESSIVE POWER METAL NEWCOMERS

RITUAL HEALING

LOCAL MELODIC ASSAULT

LIVE AT BRANX 320 SE 2ND AVE

FRIDAY, JUNE 22 2012 8:00 PM

ALL AGES (FULL BAR W/ID)

\$10 AT THE DOOR

ALL AGES METAL SHOW

TAMAGRI

KELATOR

DARK
CONFIDANT

GUR-GON
STABBE

At SLABTOWN 1033 NW 16th Ave Portland

Friday, October 24th, 2014 8:00PM

ALL AGES! \$7.00 Bar w/ID